

Article - Health - General

[\[Previous\]](#)[\[Next\]](#)

§22-309.

(a) (1) As soon as practicable after a hearing on a protest against a rule or regulation under § 22-308 of this subtitle, the Secretary shall:

(i) Act on the protest by issuing an order; and

(ii) Send a copy of the order to each protester by certified mail, return receipt requested, bearing a postmark from the United States Postal Service.

(2) Each order issued under this section shall be based on substantial evidence in the record of the hearing.

(b) An order issued by the Secretary under this section may:

(1) Reinstate, rescind, or modify a State adopted federal regulation as a rule or regulation of this State; or

(2) As to any other rule or regulation proposed under this subtitle:

(i) Withdraw the proposal;

(ii) Modify the proposal and set an effective date for the modified proposal that is at least 60 days after publication of the order; or

(iii) Set a new effective date for the original proposal that is at least 60 days after publication of the order.

[\[Previous\]](#)[\[Next\]](#)